



The British Columbia Gazette.

PUBLISHED BY AUTHORITY.

Vol. XIII.

VICTORIA, JUNE 21st, 1873.

[No. 25.]

Table of Contents.

	PAGE.
Government Notices.	
PROVINCIAL SECRETARY'S DEPARTMENT.	
Appointments	1
Circuit Courts	3
LANDS AND WORKS DEPARTMENT.	
Calling for tenders, New Westminster and Semiahmoo Road	4
“ “ Boarding School House	3
Calling for tenders for repairs to Pitt River Road	4
Proclamations.	
Proclamation Proroguing the Legislative Assembly	1
Creating North Cowichan a Municipality	1
Supreme Court.	
Sittings in Banc, Supreme Court	4
Miscellaneous Notices.	
Notice of intended application to be admitted as a Barrister by C. E. B. Anderson	4
Notice of intended application to be admitted as Solicitor by the name of John Copland	4
Notices respecting Road Tax Lists	4
Notice of application for a Crown Grant of Land	4
Notice respecting Land Tax List, New Westminster	4
“ “ Nanaimo	4
Notice respecting Land Tax Assessment Rolls	4

PROVINCE OF BRITISH COLUMBIA.



Appointments.

PROVINCIAL SECRETARY'S OFFICE,
June 19th, 1873.

HIS Excellency the LIEUTENANT-GOVERNOR has been pleased to appoint JOHN MORLEY, ESQUIRE, of Maple Bay, Cowichan, to be a Registrar under and to carry out the provisions of "The Marriage Ordinance, 1867," and "The Marriage Ordinance Amendment Act, 1872."

PROVINCIAL SECRETARY'S OFFICE,
20th June, 1873.

HIS Excellency the LIEUTENANT-GOVERNOR has been pleased to make the following appointments:—

GEORGE COXON, ESQUIRE, to be Government Agent at Lytton.

GEORGE COXON, ESQUIRE, to be Assessor and Collector of Road Tax, and Assessor and Collector of Land Tax, for the Lytton and Cache Creek Polling Divisions of the Electoral District of Yale, *vice* T. R. BUIE, ESQUIRE, deceased.

PROVINCIAL SECRETARY'S OFFICE,
20th June, 1873.

THE LIEUTENANT-GOVERNOR has been pleased to appoint the following Collectors under and to carry out the provisions of "The Qualification and Registration of Voters Act, 1871":—

ELECTORAL DISTRICT OF KOOTENAY.

William Fernie, Esq., Polling Division of Perry Creek.

Donald C. Chisholm, Esq., Polling Division of Wild Horse Creek.

ELECTORAL DISTRICT OF CARIBOO.

George Cook, Esq., Polling Division of Cariboo, *vice* R. H. Young, Esq.

Proclamations.

[L.S.]

JOSEPH W. TRUTCH.

CANADA.

PROVINCE OF BRITISH COLUMBIA.

VICTORIA by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the faith, &c., &c., &c.

To Our faithful the Members elected to serve in the Legislative Assembly of Our Province of British Columbia, and summoned and called to a meeting of the Legislature or Parliament, of Our said Province, at Our City of Victoria, on Monday the Fifth day of May, next, to have been commenced and held, and every of you,—GREETING.

A PROCLAMATION.

GEO. A. WALKEM } WHEREAS the meeting of the
Attorney-General, } Legislature or Parliament of
the Province of British Columbia, stands called for
Wednesday the Fifth day of May next, at which
time, at Our City of Victoria, you were held and con-
strained to appear:

NOW KNOW YE that for divers causes and considerations, and taking into consideration the ease and convenience of Our loving subjects, We have thought fit, by and with the advice of Our Executive Council of the Province of British Columbia, to relieve you, and each of you, of your attendance at the time aforesaid; hereby convoking, and by these presents enjoining you, and each of you, that on MONDAY, the SEVENTH day of the month of JULY next you meet us in our Legislature, or Parliament, of the said Province, at Our City of Victoria, and therein to do as may seem necessary. Herein fail not.

IN TESTIMONY WHEREOF, we have caused these Our Letters to be made Patent, and the Public Seal of the said Province to be hereunto affixed: WITNESS, the Honorable JOSEPH WILLIAM TRUTCH, Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this Twenty-sixth day of April, in the year of Our Lord one thousand eight hundred and seventy-three, and in the thirty-sixth year of Our Reign.

By Command.

CHAS. E. POOLEY.

Registrar Supreme Court.

[L. S.]

JOSEPH W. TRUTCH.

PROVINCE OF BRITISH COLUMBIA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c.

To all to whom these presents shall come,—GREETING.

GEO. A. WALKEM, } WHEREAS by Section 4 of
Attorney-General, } "The Municipality Act,
1872," it is provided, that—"The Lieutenant-Gov-
ernor in Council, by Letters Patent, under the
"Public Seal of the Province, and upon the Petition

"of at least two-thirds of the male freeholders, householders, free miners, pre-emptors, and leaseholders for a term of not less than two years, being respectively of the full age of twenty-one years, and resident in any locality, in which locality there shall be not less than thirty male residents, as aforesaid, shall incorporate such locality as a Municipality;"

And whereas a Petition has been addressed to the Lieutenant-Governor in Council, as aforesaid, by two-thirds of the male freeholders, householders, free miners, if any, pre-emptors, and leaseholders, as aforesaid, of the Districts of Cowichan North and Chemainus, being respectively of the full age of twenty-one years, and resident in the said Districts, in which locality there are thirty male residents as aforesaid, praying that the said Districts of Cowichan North and Chemainus may be incorporated as a Municipality;

And whereas JOSEPH WILLIAM TRUTH, as such Lieutenant-Governor in Council as aforesaid, under and by virtue of the powers and authorities conferred upon him in Council as aforesaid, by "The Municipality Act, 1872," and "The Municipality Act Amendment Act, 1873," and of all other powers and authorities him, as aforesaid, in that behalf enabling, hath ordered and proclaimed that all that piece of land known as the Districts of Cowichan North and Chemainus, and the inhabitants thereof, should, from and after the Eighteenth day of June, instant, be incorporated as a Municipality, under the said Act, and under the provisions hereinafter contained or referred to.

NOW KNOW YE, that by these presents, We do hereby order and proclaim that the said piece of land, and the inhabitants thereof, shall, from and after the date hereof, be incorporated as a Municipality, under the said Acts, and under the provisions hereinafter contained or referred to.

The said Municipality shall be called and known by the name and style of "The Corporation of the District of North Cowichan."

The said Municipality shall comprise all that piece or parcel of land known as the District of Cowichan North, and the District of Chemainus.

The Council shall consist of Seven Councillors, and the whole number present at each meeting thereof shall not be less than four.

The nomination for the first election of Councillors shall be on the 7th day of July, next, at 12 o'clock, noon, and the election, in case a poll shall be demanded, shall be on the 8th day of July, next; and shall continue for one day only, and the poll shall be kept open between the hours of 9 A.M. and 5 P.M., and William Smithe, Esquire, shall be the Returning Officer thereat.

The nomination shall take place, and the poll, if any, shall be held at the Court House.

Ten days' notice of the time and place of nomination and holding of the poll shall be given by the said Returning Officer; such notice to be posted during that period on the outer door of the Court House, and the Landing places at Maple Bay and Chemainus.

Every person qualified to vote shall have seven votes, being one for each Councillor to be elected, but he may vote for any less number than seven. Provided, always, that he shall not cast more than one vote in favor of any one Candidate, or vote on more than one occasion. And in the event of the number of votes being found to have been equal for any two or more Candidates, one or more of whom, but not all of such Candidates, being by the state of the poll entitled to be declared elected, the Returning Officer shall by a casting vote or votes, as the case may be, decide which of the Candidates for whom the votes may be equal shall be elected. Provided, that the said Returning Officer shall not vote except in the case of an equality of votes as aforesaid.

All expenses attendant upon the said Election shall be borne by the Candidates in equal proportion; such expenses shall not exceed in the whole One hundred dollars.

The Candidates (duly qualified) who shall obtain the greatest number of votes shall be Municipal Councillors.

The voting for Councillors shall be open, and no one shall vote by proxy.

If the Warden, or any of the Municipal Councillors, or any person on his or their behalf, or any person in partnership with him or them, shall enter into or obtain any interest, directly or indirectly, in any contract entered into by or with the Corporation, such

Warden or Municipal Councillor having any interest in any contract, or having become disqualified as aforesaid, shall immediately be disqualified from continuing to be Warden or Municipal Councillor, as the case may be.

Provided, always, that if any Warden or Municipal Councillor, or either of them, shall vote at any meeting of the Municipal Council, or shall not resign his office within the space of one calendar month from the time when he shall have entered into or obtained any interest in any such contract as aforesaid, such Warden or Municipal Councillor shall forfeit to the Corporation a sum of Two hundred and fifty dollars, and as to the said sum, the same may be recovered by action, to be brought in the name of "The Corporation of the District of North Cowichan;" but all votes given under such circumstances shall be valid.

The Returning Officer shall, on the day of nomination, at noon, nominate such persons as shall be put in nomination in that behalf, by some duly qualified voter, as Candidates for the office, as prescribed by "The Municipality Act, 1872," and "The Municipality Act Amendment Act, 1873," a show of hands shall then take place, and the Returning Officer shall thereupon declare which of the Candidates has or have been elected by the show of hands.

Any Candidate, or voter on his behalf, may thereupon demand a poll, which shall be taken on the day of polling, and the Returning Officer shall, within twenty-four hours after the close of the poll, publicly declare the number polled for each Candidate, and who has or have been elected by the greatest number of votes.

The Returning Officer, after the declaration of the poll, shall retain the poll books until a Clerk shall be duly appointed, to whom he shall forthwith deliver the same; and such Returning Officer or Clerk, respectively, shall permit any reasonable inspection thereof by any duly qualified voter, and, if required, furnish a certified copy thereof, upon payment of twenty-five cents per hundred words.

Every person who shall have presented himself for nomination, and who shall have been elected a Municipal Councillor, must serve, or in default pay a sum of two hundred and fifty dollars towards the Municipal Revenue; such sum, with costs, to be recoverable by the Clerk of the Municipal Council, summarily, before any Justice of the Peace aforesaid.

In case of the death, bankruptcy, insolvency, resignation, or permanent absence for the space of three consecutive calendar months from the Municipality of the Warden for the time being, or in case the Warden shall decline to accept office, the Municipal Councillor who shall be selected by the Municipal Council for that purpose, shall preside at the meetings of the Municipal Council, and shall have the same powers, duties, and privileges, and be subject to the same liabilities and responsibilities which the Warden would have had, and been subject to, if presiding, until the next day of election.

In case of the death, bankruptcy, insolvency, resignation or permanent absence from the Municipality for the space of three calendar months, of any one or more Councillors, or in case of a Municipal Councillor filling such vacancy in the office of Warden, the Warden shall by writing call on the Returning Officer to cause some duly qualified person to be elected in the stead of the vacating Councillor, by some day, not sooner than twenty-one days from the date of the said notice; and such election shall take place accordingly, and such Councillor shall act for the residue of the term for which such Councillor so dead, bankrupt, insolvent, absent, or resigned, would have held the same.

The Warden shall, within ten days from such vacancy, fix the day for the nomination and election of such new Municipal Councillor or Councillors, and the nomination and polling shall be held in manner aforesaid.

The validity of all contested elections shall be tried before any Judge of the Supreme Court, in manner following:—Any voter or candidate may present a petition to the said Supreme Court, praying that the election of any Municipal Councillor may be avoided, on either of the following grounds:—by reason of bribery, intimidation, or undue influence; by reason of such Municipal Councillor not having obtained a majority of the votes of the duly qualified electors; by reason of such Municipal Councillor not possessing the requisite qualification, or being under some disqualification as aforesaid.

The petitioner shall, in each case, give such security for costs as the Court shall direct.

The order of the Judge on the said petition shall be final and conclusive, and may contain all necessary directions for the holding new elections, or otherwise, as may be requisite.

Such Judge may, from time to time, make rules for regulating the trial of such petitions, and the matters and things connected therewith.

The first meeting of the Council shall be held on the 15th day of July, next, at the Court House Cowichan North, at 3 p. m.

The Municipal Council shall hold its ordinary meetings openly, and no person shall be excluded except for improper conduct. A special meeting may be open or closed, as in the opinion of the Municipal Council, expressed by resolution in writing, the public interests require.

All acts, whatsoever, authorised or required by virtue of "The Municipality Act 1872," and "The Municipality Act Amendment Act 1873," to be done by the Municipal Council and all questions of adjournment and others that may come before the Municipal Council may, save where otherwise expressed, be done and decided by the majority of the members of the Municipal Council who shall be present at any meeting held in pursuance of the said Act, or these Letters Patent, the whole number of members present at such meeting not being less than four; at such meeting, the Warden, if present, shall preside, and the Warden (or in the absence of the Warden such Municipal Councillor as the members of the Municipal Council then assembled shall choose to be the Chairman of that meeting) shall have a casting vote in all cases of equality of votes; the minutes of the proceedings of all such meetings shall be drawn up and fairly entered into a book to be kept for that purpose, and shall be signed by the Warden or Municipal Councillor presiding at such meeting; and the said minutes shall be open to the inspection of any person, who may make copies thereof and extracts therefrom, at all reasonable times, on payment, each time, of a fee of twenty-five cents.

Previous to the introduction of any business, referring to the expenditure of any moneys, at any meeting of the Municipal Council, a notice in writing of any business proposed to be brought forward by any member, shall be publicly exhibited for twenty-four hours previously to such meeting, in some public place to be agreed upon by the Municipal Council.

Previous to any meeting of the Municipal Council, other than adjourned meetings, a notice of the time and place of such intended meeting shall be given, three days at least before such meeting, by fixing a copy of the said notice at the Municipal Council Chambers; and such notice shall be signed by the Warden, who shall have power to call a meeting of the Municipal Council as often as he shall think proper.

In case the Warden shall refuse or neglect to call a meeting within three days after a requisition for that purpose, signed by three members of the Municipal Council, at the least, shall have been presented to him, it shall be lawful for the said three members to call a meeting of the Municipal Council, by giving such notice as is hereinafter declared in that behalf; such notice to be signed by the said three members, instead of the Warden, and stating therein the business proposed to be transacted at such meeting; and in every case a summons to attend the Municipal Council, specifying the business proposed to be transacted at such meeting, signed by the Warden, or the members, as the case may be, shall be left at the usual places of abode of every member of the Municipal Council, or at the premises in the Municipality where he resides, three clear days at least before such meeting; and no business shall be transacted at such meeting other than the business which is specified in the notice.

The Municipal Council may, out of their own body, from time to time, appoint such and so many Committees, and consisting of such members as they may think fit, for any purposes which, in the discretion of the Municipal Council, would be better regulated and managed by means of such Committees; but all proceedings of such Committees shall be subject to the approval of the Municipal Council.

Every By-Law shall be passed by the vote or resolution of at least three members of the Municipal Council, and at a meeting where at least four members of the Municipal Council shall be present.

A copy of every By-Law shall be transmitted to the Governor by the Clerk of the Municipal Council, within one month after the final passage of the same, signed by the said Clerk, and countersigned by the

Warden or presiding Municipal Councillor, and sealed with the Corporate Seal.

At the first meeting of the Council, the Councillors shall elect one of their number to act as Chairman, and to be designated as Warden of North Cowichan, and his powers, privileges and duties, save as altered by, or inconsistent with, these Letters Patent, shall be the same as those prescribed by "The Municipality Act, 1872." and "The Municipality Act Amendment Act, 1873."

At such first meeting, or as soon thereafter as possible, the Council may appoint a Clerk, Treasurer, Collector, and Assessor, or such officers as they may deem necessary, who shall hold office during the pleasure of the Council, and receive such remuneration as the Council may by By-Law appoint.

IN TESTIMONY WHEREOF, we have caused these Letters to be made Patent, and the Public Seal of the Province of British Columbia to be hereunto affixed: WITNESS, the Honorable JOSEPH WILLIAM TRUTCH, Lieutenant-Governor of the said Province of British Columbia, in the City of Victoria, in the said Province, this eighteenth day of June, in the year of Our Lord one thousand eight hundred and seventy-three, and in the thirty-sixth year of Our Reign.

By Command.

JOHN ASH,

Provincial Secretary.

Government Notices.

NOTICE.

A COURT OF GENERAL ASSIZE AND GAOL DELIVERY and of NISI PRIUS will be held at each of the undermentioned places as follows, except the same be hereafter changed by Order in Council:—

SPRING CIRCUIT.

New Westminster, Wednesday, 14th May,
Yale, Monday, 19th May,
Lytton, Thursday, 22nd May,
Kamloops, Wednesday, 28th May,
Clinton, Monday, 2nd June,
Quesnelle, Friday, 6th June,
Richfield, Tuesday, 17th June.

FALL CIRCUIT.

Richfield, Tuesday, 16th September,
Quesnelle mouth, to be fixed hereafter, if
any business,
Clinton, Thursday, 2nd October,
Kamloops, Tuesday, 7th October,
Lytton, Monday, 13th October,
Yale, Thursday, 16th October,
New Westminster, Tuesday, 21st October.

Assizes at Nanaimo and elsewhere will, when necessary, be hereafter fixed.

Dated, 17th day of April, 1873.

By Command.

JOHN ASH,

Provincial Secretary.

PUBLIC NOTICE.

SEALED TENDERS, endorsed "Tender for Boarding School House," will be received by the undersigned up to Noon of Monday the 23rd of June next, for the erection of a Boarding School House near Cache Creek.

Plans and specifications can be seen at the office of C. E. Pope, Esq., Clinton, and at this office.

The lowest or any tender not necessarily accepted. With each tender must be enclosed the names of two responsible persons willing to become security for the due completion of the contract to the amount of one-quarter the contract price.

ROBERT BEAVEN,

Chief Commissioner of Lands and Works.

Lands and Works Department,

Victoria, 22nd May, 1873.

PUBLIC NOTICE.

SEALD TENDERS, endorsed "Tender for New Westminster and Semiahmoo Road," will be received by the undersigned up to noon of Monday, the 23rd instant, for constructing a Road from a point opposite New Westminster to Semiahmoo Bay.

Specifications can be seen at the Office of the Government Agent, New Westminster, and at this Office.

The lowest or any Tender not necessarily accepted.

With each Tender must be enclosed the names of two responsible persons willing to give security for the due completion of the work, to the amount of one-third the contract price.

ROBERT BEAVEN,
Chief Commissioner of Lands and Works.
Lands and Works Office,
Victoria, 9th June, 1873.

PUBLIC NOTICE.

SEALD TENDERS, endorsed "Tender for repairs to Pitt River Road," will be received by the undersigned up to noon of Thursday the 10th of July next, for the construction of a bridge across Coquitlam river, and repairing the Pitt River Road.

Specifications and plans can be seen at the office of the Government Agent, New Westminster, and at the Lands and Works Department, Victoria.

The lowest or any tender not necessarily accepted.

With each tender must be enclosed the names of two responsible persons willing to give security for the due completion of the work, to the amount of one-third the contract price.

ROBERT BEAVEN,
Chief Commissioner of Lands & Works.
Lands & Works Office,
Victoria, 16th June, 1873.

Miscellaneous Notices.**NOTICE.**

NOTICE IS HEREBY GIVEN that a list of all persons within the Districts of Clinton, Canoe Creek, and Williams Lake Division of the Cariboo District, who are liable to pay Road Tax for the Year 1873, has been posted at the following places:—

Court House, Clinton,
Mr. Ritchie's, Canoe Creek,
Mr. Yeates', Soda Creek,
— Williams Lake.

C. E. POPE,
Clinton, 20th May, 1873. Collector.

NOTICE is hereby given, that CHARLES JAMES LEGGATT, of Victoria, B. C., intends to apply, next Michaelmas Term, to be admitted an Attorney and Solicitor of the Supreme Court of British Columbia.

Dated this 3rd day of January, 1873.

CHAS. JAS. LEGGATT.

In the Supreme Court of British Columbia.**GENERAL ORDER.**

NOTICE is hereby given, that the Supreme Court will sit in Banc, for the hearing of all motions, arguments, appeals, and other matters coming before the Court in Banc, at the Supreme Court Room in the City of Victoria, for the following terms, on the days hereinafter mentioned, namely:

For Hilary Term from the 15th to 25th February;
For Easter Term from the 15th to 25th April;
For Michaelmas Term from the 15th to 25th November.

There will be no sitting in Banc in Trinity Term.

In case any of the days of the dates named for the beginning or ending of the Terms should fall on a Sunday or Public Holiday, then the Term will begin or end on the next following day.

{ L.S. } MATT. B. BEGBIE, C. J.
HENRY P. PELLEW CREASE, J.
J. HAMILTON GRAY, J.

Dated Victoria, January 24th, 1873.

NOTICE.**YALE DISTRICT.**

NOTICE IS HEREBY GIVEN that C. A. BACON, G. I. STUART, R. E. JACKSON, D. LENEVUE, and G. J. FINDLAY, intend to apply for a Crown Grant of Land described as under:—30 chains long by 6 wide, adjoining and on the Easterly side of land comprised in Bristol and May's Prospecting License, same being between continuation of lines forming sides of Land applied for by the Yale Silver Mining Company.

Dated, Victoria, 12th June, 1873.

WILD LAND TAX.

NOTICE IS HEREBY GIVEN that a list of all persons within the District of Cariboo, who are liable to pay the above tax for the year 1873, may be inspected on application to A. BARLOW, Quesnelle, or to

GEORGE BYRNES,
Assessor and Collector,
Barkerville, June 1st, 1873. Barkerville.

NOTICE.

NOTICE IS HEREBY GIVEN that a list of all persons within the District of Nicola Lake, who are liable to pay Road Tax, has been deposited at the following places:—

J. & R. Charters', Nicola River,
J. Clapperton's, foot of Nicola Lake,
J. P. & S. Moore's, head of Nicola Lake.

Nicola Lake, ALEXANDER ROBB,
May 14th, 1873. Collector.

NOTICE.**"The Land Tax Act, 1873."****NEW WESTMINSTER DISTRICT.**

I HEREBY GIVE NOTICE that the Land Tax List for the above District is deposited at my Office, Columbia Street, New Westminster, and can be inspected there between the hours of 10 A. M. and 4 P. M., free of charge.

HENRY V. EDMONDS,
Assessor and Collector.

PUBLIC NOTICE.

NOTICE IS HEREBY GIVEN that a List of all persons liable to pay Wild Land Tax, within the Land Tax District of Nanaimo, for the year 1873, is deposited in the Court House, Nanaimo, and can be inspected at all reasonable hours.

W. STEWART,
Nanaimo, B. C.,
4th June, 1873. Collector.

"LAND TAX ACT, 1873."

NOTICE IS HEREBY GIVEN, that the Land Tax Assessment Rolls are posted up at the following places:—

Mr. Muir's, Sooke District.
Mr. John Parker's, Metchosin District.
Mr. John Howard's Esquimalt District.
Mr. Henry Wain's North Saanich District.
Mr. L. Eckstein's, South Saanich District.
Mr. R. Smallbones, Lake and Highland District.
Cedar Hill Church, Victoria District.
Sheriff's Office, Victoria.

RICHARD WOODS,
Assessor and Collector.

14th June, 1873.

"LAND TAX ACT."

NOTICE IS HEREBY GIVEN that the Land Tax Assessment Rolls are posted up at the following places:

Post Office, Cowichan.
Post Office, Maple Bay.
JOHN MORLEY.

Assessor and Collector.

Printed every Saturday, by RICHARD WOLFENDEN, Government Printer, at the Government Printing Office James' Bay, Victoria.